

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-43-FDW**

**WILLIAM CARAWAN, JR.,**

**Plaintiff,**

**vs.**

**FNU MITCHELL, et al.,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on the pro se Plaintiff's Notice of Voluntary Dismissal. (Doc. No. 31). Under FED. R. CIV. P. 41(a)(1)(A)(i), the plaintiff may take a voluntary dismissal without a court order "before the opposing party serves either an answer or a motion for summary judgment." Here, Defendants have already filed an Answer. Therefore, the Court construes the Plaintiff's notice as a motion for voluntary dismissal, and the Court grants the motion.

**IT IS THEREFORE ORDERED** that:

1. Plaintiff's Motion to Dismiss, (Doc. No. 31), is **GRANTED**.
2. The Clerk is instructed to terminate this action.

Signed: August 17, 2018



Frank D. Whitney  
Chief United States District Judge

